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REMARKS

Claims 1-7, 11, 13-17 have being retained and claims 21-34 being added to the present application.

The Examiner rejected claims 1-6 and 9-17 under 35 U.S.C. § 102(b) as anticipated by the E-Lacrosse reference. The Examiner also rejected claims 1-7, 9, and 10 under 35 U.S.C. § 102(b) as anticipated by the Hoult patent (U.S. No. 3,702,702). Additionally, the Examiner rejected claims 1-4, 7, 9-11, and 13-15 under 35 U.S.C. § 102(b) as anticipated by the Locarno patent (U.S. No. 6,113,508). Further, the Examiner rejected claim 8 under 35 U.S.C. § 103(a) as obvious over the Hoult patent in view of Official Notice. Moreover, the Examiner rejected claim 8 under 35 U.S.C. § 103(a) as obvious over the Locarno patent in view of Official Notice.

Each of these claim rejections is addressed individually below.

The Section 102 Claim Rejections:**Claim 1:**

The Examiner rejected claim 1 under 35 U.S.C. § 102(b) as anticipated by each of (a) the E-Lacrosse reference, (b) the Hoult patent, and (c) the Locarno patent.

Claim 1 has been amended to require a handle for a lacrosse stick including a hollow tube for attachment to a lacrosse head. The hollow tube includes an outer surface and an inner surface. The inner surface has a reinforcing insert coupled thereto. The reinforcing insert is coupled to the inner surface substantially around a circumference of the inner surface at a given location to provide increased strength for the hollow tube. Further, the reinforcing insert consists of a layer coupled to the inner surface, which defines an inner cavity and minimizes the weight of the handle.

The E-Lacrosse Reference:

Claim 1 clearly distinguishes over the E-Lacrosse reference. The Examiner points to the E-Lacrosse reference (p. 5, picture 1) for disclosing a hollow foam-filled lacrosse stick. However, it is not clear from an examination of the article that the Examiner's interpretation of this reference is correct or that it even constitutes prior art.

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Nevertheless, assuming that the handle illustrated in the article published in December 2003, constitutes prior art, it appears to specifically disclose a solid fiberglass handle, which is intended to replace the prior wooded handles. As the reference states:

We believe that Lacrosse International's idea was to make a piece of equipment that was less likely to break than the wooden version. They copied the Iroquois style, made to pour the fiberglass into and manufactured a stick that looked just like the wooden model but was heavier and ostensibly, unbreakable.

Accordingly, it is submitted that the E-Lacrosse reference only teaches a solid handle and not a hollow elongated handle with an insert disposed therein as required by Applicants' claim 1. Moreover, even if the reference teaches a handle made of fiberglass and having a foam inserted therein, the foam fills the entire interior of the handle and does not teach a cavity in the interior that minimizes the weight of the handle and still provide significantly increased strength. The E-Lacrosse reference does not teach or suggest the substantially strong and lightweight advantages associated with Applicants' claimed handle.

It is therefore submitted that claim 1 is allowable over the E-Lacrosse reference for at least this reason and that claims 2-6 and newly added claims 21-24, which depend from claim 1, are allowable for at least the same reasons.

The Hoult Patent:

It is submitted that claim 1 is also clearly distinguishable over the Hoult patent. Specifically, the Hoult patent (Figure 5 and col. 2, lines 44-53) is directed to a hollow handle 12 having longitudinal ribs 44 extending inwardly therefrom and a solid-core rod 46 frictionally engaged to the ribs 44. However, as detailed above, independent claim 1 recites a reinforcing insert comprised of a layer of material which defines an inner cavity that is generally uniform in construction such that the tube is still generally hollow. This construction is substantially different from the solid-core rod 46 of the Hoult patent, which fails to teach or suggest an inner cavity for minimizing the weight of the handle while providing substantially high strength thereto.

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For this reason, the Applicant submits that claim 1 and claims 2-7 and 21-24, which depend from claim 1, are now allowable.

The Locarno Patent:

Claim 1 also defines over the Locarno patent. The Locarno patent (col. 3, line 60 - col. 4, line 2; col 6, lines 47-54) is directed to a stiffening rod for providing non-uniform stiffness and flexibility of sports equipment across a direction transverse to the longitudinal axis of the sports equipment. For example, as shown in Figures 11-12 and 14, the stiffening rod includes cavities 52, 54 or other omissions of material, which are configured to provide greater flexibility in one direction and greater stiffness in another direction. In other words, the thickness or the amount of material comprising the stiffening rod in one direction is substantially less than in the other direction. Further, the stiffening rod does not support substantially the entire circumference of the inner periphery at any location along the handle. This will result in the handle having weak spots, which are undesirable as the handle can be damaged at these spots during play, particularly, when checked by another handle.

Accordingly, it is submitted that the Locarno reference does not teach or suggest an elongated hollow handle with an insert disposed substantially around the circumference of the inner side as required by Applicants' claim 1. Therefore, the Locarno reference does not provide the strength and lightweight advantages associated with Applicants' claimed handle. It is therefore submitted that claim 1 is allowable over the Locarno reference for at least this reason and that claims 2-6 and newly added claims 21-24, which depend from claim 1, are allowable for at least the same reasons.

Claim 11:

The Examiner rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by each of (a) the E-Lacrosse reference and (b) the Locarno patent.

Claim 11 has been amended to require a lacrosse stick including a hollow tube for attachment to a lacrosse head. The hollow tube has an outer surface and an inner

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surface. The inner surface of the hollow tube has a reinforcing insert coupled thereto to provide increased strength and to absorb vibrations in said hollow tube. The reinforcing insert consists of a layer coupled to the inner surface of the hollow tube which defines an inner cavity and minimizes the weight of the handle. The layer is a bladder membrane and the inner cavity is filled with a semi-fluid for absorbing vibrations in the hollow tube.

The E-Lacrosse Reference:

Initially, the E-Lacrosse reference does not teach or suggest a hollow tube with a defined inner cavity for the reasons provided above in connection with claim 1. Therefore, claim 11 is allowable for the same reasons. Additionally, the E-Lacrosse reference fails to teach or suggest that a reinforcing insert consisting of a fluid-filled membrane disposed within a hollow tube for absorbing vibrations in the handle as recite in claim 11. For this additional reason, the Applicant respectfully submits that claim 11 is allowable over the E-Lacrosse reference. It is also submitted that claims 13-17, and 25, which depend from claim 11, are allowable for at least the same reasons.

The Locarno Patent:

Claim 11 also is allowable over Locarno patent as the Locarno patent does not teach a reinforcing insert having a cavity generally within a middle of the hollow tube. Claim 11 is therefore allowable for this reason alone. Additionally, the Locarno reference fails to teach or suggest that a reinforcing insert consisting of a fluid-filled membrane disposed within a hollow tube for absorbing vibrations in the handle as recite in claim 11. For this additional reason, the Applicant respectfully submits that claim 11 is allowable over the Locarno reference. It is also submitted that claims 13-17, and 25, which depend from claim 11, are allowable for at least the same reasons.

Newly Added Claim 26:

Claim 26 has been newly added by this response and requires a handle for a lacrosse stick including a hollow metal tube having a first end for engagement with a lacrosse head and a second end opposing the first end. The hollow metal tube has an inner surface and an outer surface, an insert disposed within the hollow metal tube and

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in engagement with the inner surface around substantially an entire circumference along at least a portion of the hollow metal tube. The insert is comprised of a non-metal material and is lightweight. The insert provides increased strength for the hollow metal tube without substantially increasing the weight.

Claim 26 is allowable over each of the references of record for at least the reason that none of the references teach an elongated hollow metal tube with a non-metal insert. The E-Lacrosse reference teaches a fiberglass tube – not a metal tube. The Hoult patent teaches a wood or plastic handle with a rod constructed of wood, metal or other suitable material disposed therein. The Locarno reference appears to only teach a plastic shaft or tube. However, even if the Locarno reference teaches a metal tube, it does not teach that the insert is in contact with substantially the entire circumference of the tube at one location.

It is therefore submitted that claim 26 is allowable over the art of record and that claims 27-34, which depend from claim 26 are allowable for the same reasons.

The Section 103 Claim Rejections:

The Examiner rejected claim 8 under 35 U.S.C. § 103(a) as obvious over the Hoult patent in view of Official Notice. Moreover, the Examiner rejected claim 8 under 35 U.S.C. § 103(a) as obvious over the Locarno patent in view of Official Notice. Claim 8 has been cancelled without prejudice and it is therefore submitted that this rejection is now moot.

Conclusion:

It is submitted that all objections and rejections of record have been overcome and that all pending claims are in condition for allowance. A notice of allowance is therefore earnestly solicited.

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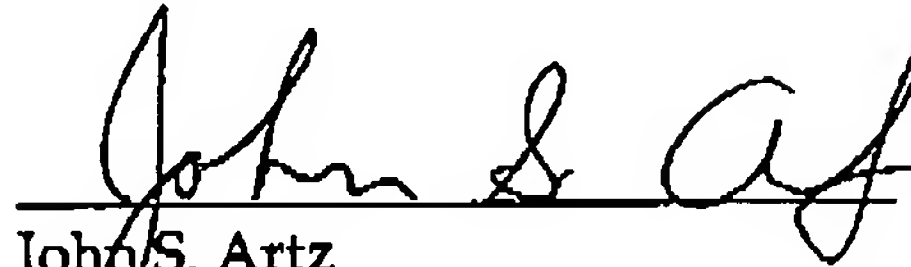
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The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 223-9500, if any unresolved matters remain.

Respectfully submitted,

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